IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 6088 of 2004(Y)

OS.160/1999 of ADDL.SUB COURT, KOCHI

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PETITIONER:

THILAKAN, AGED 42 YEARS,
S/O. SANKUNNI, RESIDING AT KIZHAKKE KATTUTHARA HOUSE, KONAM, PALLURUTHY VILLAGE, KOCHI TALUK.

BY ADV. SRI.SREEPRAKASH K.NAIR

RESPONDENTS:

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1. THANKAMMA NARAYANAN,
AGED ABOUT 82 YEARS, W/O. NARAYANAN, RESIDING AT A/18, BHAMANPURI CO-OP. HOUSING SOCIETY, KANTI NAGAR, ANDHERI EAST, MUMBAI-400 059.

2. SOBHA RAJAN, AGED ABOUT 63 YEARS,
D/O. NARAYANAN, RESIDING AT B/12, KHERANI MANSION, MUKUND PATEL LANE, ANDHERI WEST, MUMBAI-58.

3. RAVEENDRANATH, AGED ABOUT 60 YEARS,
S/O. NARAYANAN, RESIDING AT B/307, GULSHAN CO-OP. HOUSING SOCIETY, BARFIWAKA MARG, ANDHERI WEST, MUMBAI-58.

4. SURENDRANATH, AGED ABOUT 57 YEARS,
S/O. NARAYANAN, RESIDING AT B/122, VISHNU BHAG, 137 S.V.ROAD, ANDHERI WEST, MUMBAI-58.

5. JAYAPRAKASH, AGED ABOUT 554 YEARS,
S/O. NARAYANAN, RESIDING AT A/18, BHAMANPURI CO-OP HOUSING SOCIETY, KANTI NAGAR, ANDHERI EAST, MUMBAI-400 059.

6. SANKU, AGED ABOUT 80 YEARS,
S/O. ITTIANANDAN (DIED), RESIDING AT A/12,
VISHNU BHAG, 137 S.V.ROAD, ANDHERI WEST,
MUMBAI-58.

7. PRABHAVATHI, AGED ABOUT 65 YEARS,
D/O. RAMAN, RESIDING AT `SREE NIVAS',
KARAKKAMURI CROSS ROAD, ERNAKULAM, KOCHI-11.

8. THANKAMANI, AGED ABOUT 60 YEARS,
D/O. RAMAN, RESIDING AT DHANWANTHARI,
PATHIRAPPALLY, ALLEPPEY DISTRICT.

9. SYAMALA, AGED ABOUT 57 YEARS,
D/O. RAMAN, RESIDING AT PULLIADATH HOUSE,
PALLURUTHY, KOCHI-4.

10. KANAKAKUMARI, AGED ABOUT 55 YEARS,
D/O. RAMAN, RESIDING AT 26/34, PANDI KARUPPAN ROAD
THEVARA, KOCHI-13.

11. JAYAMMA, AGED ABOUT 51 YEARS, D/O.RAMAN,
RESIDING AT `VENUS', PALLURUTHY, KOCHI-6.

12. SUNAM, AGED ABOUT 49 YEARS, D/O. RAMAN,
RESIDING AT THEKKEDATH HOUSE, NEAR S.N.D.P.TEMPLE.

13. LEELA, AGED ABOUT 42 YEARS, D/O. RAMAN,
RESIDING AT PULLIADATH HOUSE, PALLURUTHY, KOCHI-6.

14. MOHANAN, AGED ABOUT 62 YEARS, S/O.RAMAN,
RESIDING AT PULLIADATH HOUSE, PALLURUTHY NORTH,
RAMESWARAM VILLAGE, KOCHI TALUK.

15. SARANGADHARAN, AGED ABOUT 36 YEARS,
S/O.SANKUNNI, RESIDING AT KISHAKE KATTUTHARA HOUSE
KONAM, PALLURUTHY VILLAGE, KOCHI TALUK.

BY ADV. SRI.SAJAN MANNALI
RI.M.P.JAYAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC : 6088 OF 2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE IA 309 DT.10.02.04.

EXT.P2 : TRUE COPY OF THE IA 310 DT.10.02.04.

EXT.P3 : TRUE COPY OF THE IA 311 DT.10.02.04.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 6088 OF 2004

Dated this the 20th day of July, 2007

JUDGMENT

The grievance of the petitioner who was the plaintiff in the suit is that as the trial was on, three applications were filed by the plaintiff namely IA Nos.309, 310 and 311 of 2002 for impleading the legal heirs of the deceased defendant and for ancillary reliefs and that the court below dismissed the application. The further grievance is that even before the copies of these orders were given to the plaintiff the learned Munsiff continued with the trial. Though the writ petition was filed as way back in 2004, the petitioner is yet to produce copy of these orders. Learned counsel submits that he has not so far obtained copies of these orders. If it is true that the petitioner has not yet received the copies of the orders on the three IAs referred to above, it is obvious that the petitioner was not at all keen on obtaining the copies of the orders. I dismiss the Writ Petition, since I do not find any warrant in invoking the supervisory jurisdiction of this Court under Article 227. The order of stay presently passed will continue for another four weeks from today only.

PIUS C. KURIAKOSE, JUDGE

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